

1                   A RESOLUTION RATIFYING  
2                   AND APPROVING RESOLUTION  
3                   80-194-7 OF THE FORT  
4                   WAYNE BOARD OF PUBLIC  
5                   WORKS.

6                   WHEREAS, the Board of Works desires to acquire  
7                   certain lands in the City of Fort Wayne for the purpose  
8                   of flood control and the eventual use of parts thereof  
9                   for a public park to be known as Headwaters Park located  
10                  within the City of Fort Wayne; and

11                  WHEREAS, the Board of Works has entered into an  
12                  agreement with the Fort Wayne Redevelopment Commission,  
13                  thereby appointing the Redevelopment Commission as the  
14                  Board's agent for the negotiation for and purchase of  
15                  such real estate, relocation, environmental remediation,  
16                  demolition, and other functions in aid of acquisition;  
17                  and

18                  WHEREAS, pursuant to said Intergovernmental  
19                  Agreement, the Redevelopment Commission has made a  
20                  recommendation to the Board of Works for the acquisition  
21                  of Twenty One (21) parcels of real estate; and

22                  WHEREAS, the Board of Works has adopted Resolution  
23                  80-194-7 which approves the acquisition of said Twenty  
24                  One (21) parcels, establishes the maximum offering price  
25                  as the average of two appraisals, and provides for  
26                  relocation procedures and payments in accordance with  
27                  Indiana Code; and

28                  WHEREAS, pursuant to Indiana Code 36-1-10.5-5 et  
29                  seq., the Redevelopment Commission may not proceed with  
30                  the acquisition process on behalf of the Board of Works  
31                  until the approval of Resolution 80-194-7 by this Common  
32                  Council; and

                        WHEREAS, this Common Council has reviewed said  
                        Resolution and desires to approve same; and

                        WHEREAS, acquisition of said Real Estate pursuant to  
                        this approval is in anticipation of, and subject to, the

1                   proceeds of "Limited Obligation Bonds of 1993 (Headwaters  
2                   Project) .

3                   NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL  
4                   OF THE CITY OF FORT WAYNE, INDIANA:

5                   SECTION 1.     Resolution 80-194-7 of the Fort  
6                   Wayne Board of Public Works, attached hereto as "Exhibit  
7                   A", is hereby approved, ratified, and confirmed.

8                   SECTION 2.     This Resolution shall be in full  
9                   force and effect from and after its passage and approval  
by the Mayor.

10                  \_\_\_\_\_  
11                  *Ruth Jansen*  
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*Ruth Jansen*  
Council Member

12                  APPROVED AS TO FORM  
13                  AND LEGALITY

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*J. Timothy McCaulay*  
J. Timothy McCaulay, City Attorney

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FORT WAYNE STAR 1993  
SOUTHERN CALIFORNIA  
25% COTTON FIBER

BOARD OF PUBLIC WORKS  
RESOLUTION NUMBER 80-194-7

RESOLUTION FOR THE ACQUISITION OF REAL ESTATE AND ESTABLISHING THE ACQUISITION AMOUNT FOR THE AREA TO BE KNOWN AS HEADWATERS PARK

Whereas, the Board of Public Works desires to acquire certain lands in the City of Fort Wayne for the purpose of flood control and the eventual use of parts thereof for a public park to be known as Headwaters Park; and

Whereas, the Board of Public Works is the purchasing agent pursuant to I.C. 36-1-1.5-3 for the purpose of effecting said acquisition; and

WHEREAS, the Board of Public Works has employed the Redevelopment Commission as its agent in the negotiation for and purchase of such real estate, relocation, environmental remediation, demolition and other functions in aid of acquisition and clearance; and

WHEREAS, the Board of Public Works adopted Resolution 80-146-11 accepting the Redevelopment Commission's recommendation to acquire seven (7) parcels for Phase I of the project; and

WHEREAS, the Redevelopment Commission has identified an additional twenty one (21) parcels for acquisition; and

WHEREAS, the Redevelopment Commission has retained two independent state licensed MAI appraisers for the purpose of determining the market value of the real estate; and

WHEREAS, the Redevelopment Commission recommends that the maximum offering price for each parcel be established as the average of the two appraisals; and

WHEREAS, the Redevelopment Commission recommends that the Board of Works accept state relocation regulations found at I.C. 8-23-17, and agree that relocation expenses paid to occupants shall comply with said regulations.

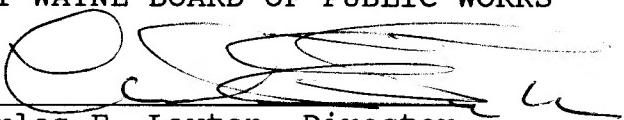
WHEREAS, acquisition of said Real Estate pursuant to this approval is in anticipation of, and subject to, proceeds from the "Limited Obligation Bonds of 1993 (Headwaters Project)".

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that:

1. The maximum offering price for each parcel is hereby established as the average of the two appraisals.
2. State relocation regulations are hereby accepted and relocation expenses paid to occupants shall comply with said regulations.
3. A list of the twenty one (21) parcels is attached hereto as Exhibit A and made a part of this resolution.

Resolved this 21 day of July, 1993.

FORT WAYNE BOARD OF PUBLIC WORKS

  
Charles E. Layton, Director

C. James Owen, Member

Katherine Carrier  
Katherine A. Carrier, Member

ATTEST: Patricia J. Orick  
Patricia J. Orick, Clerk

Exhibit A

Parcel 5

Key Number: 91-2949-0003

Owner: Poinsatte Auto Company, Inc.  
929 Avenue of Autos  
Fort Wayne, Indiana 46804

Description: Lot 3 of Eliza Hanna Senior's Subdivision of Jail Flats Addition

Parcel 8

Key Number: 91-2949-0009

Owner: Tri City Automotive Warehouse Corporation  
P.O. Box 10209  
Fort Wayne, Indiana 46851

Description: N 165' of Lot 5, Eliza Hanna Senior's Subdivision of Jail Flats Addition

Parcel 9

Key Number: 91-2950-0002

Owner: Walters, Irving & Rose  
5002 Old Mill Road  
Fort Wayne, Indiana 46807

Description: S 103' of Lot 2 & vacated street, Horace H. Hanna Estate's Subdivision of Jail Flats

Parcel 10

Key Number: 91-2950-0001

Owner: Tujague, Anita F., et al c/o Tri City Automotive Warehouse Corporation  
121 South Clinton Street  
Fort Wayne, Indiana 46802

Description: Lot 1 of Horace H. Hanna Estate's Subdivision of Jail Flats Addition, excluding N 14' for street, and including N 60' of Lot 2 and vacated street

Parcel 12

Key Number: 92-2948-0778

Owner: Container Corporation of America  
102 West Superior Street  
Fort Wayne, Indiana 46802

Description: S 230' FRL, Lot 578 of Hanna's Addition

Parcel 13

Key Number: 92-3192-0001

Owner: Adams, Edward G. & Frances R.  
4544 East Shenandoah Circle  
Fort Wayne, Indiana 46835

Description: Lot 1 of Emma Kleindinst's Subdivision

Parcel 14

Key Number: 92-3192-0002

Owner: Adams, Edward G. & Frances R.  
4544 East Shenandoah Circle  
Fort Wayne, Indiana 46835

Description: Lot 2 of Emma Kleindinst's Subdivision

Parcel 15

Key Number: 92-3192-0003

Owner: Palermo, Nick  
3711 Wells Street  
Fort Wayne, Indiana 46808

Description: Lots 3 & 4 of Emma Kleindinst's Subdivision

Parcel 16

Key Number: 92-2948-0777

Owner: Container Corporation of America  
102 West Superior Street  
Fort Wayne, Indiana 46802

Description: E 150' of the W 180', Lot 578 Hanna's Addition

Parcel 17

Key Number: 92-2948-0578

Owner: Production Parts Company, Inc.  
P.O. Box 11425  
Fort Wayne, Indiana 46858

Description: W 30' Lot 578 Hanna's Addition

Parcel 18

Key Number: 92-4236-3018 (Land)

Owner: Conrail Property Tax Department  
P.O. Box 8499  
Philadelphia, Pennsylvania 19101

Description: 16,830 square feet east of Harrison, part of Lot 7,  
Wells Reserve

=====

Key Number: 92-4236-4018 (Building)

Owner: Conrail c/o Schaab Metal Products  
1208 North Harrison Street  
Fort Wayne, Indiana 46808

Description: Same as above

Parcel 19

Key Number: 91-4236-0057

Owner: Mahoney, Donald W. & Norma J.  
1405 North Clinton Street  
Fort Wayne, Indiana 46805

Description: 1.418 acres, part of Lot 6, Wells Reserve, between  
Clinton and Calhoun, south of Fourth, excluding the  
south .161 acres

Parcel 20

Key Number: 91-2948-0584

Owner: Rivergreenway Associates  
320 East Superior Street  
Fort Wayne, Indiana 46802

Description: Lot 584 and E 10' Lot 585, Hanna's Addition

Parcel 21

Key Number: 91-2948-0585

Owner: Turner, Dan M & Rose A.  
235 East Superior Street  
Fort Wayne, Indiana 46802

Description: W 50' of Lot 585

Parcel 22

Key Number: 91-2948-0586

Owner: Momper Rentals, Inc.  
2431 West Main Street  
Fort Wayne, Indiana 46808

Description: Lot 586 and 1/2 vacated alley

Parcel 23

Key Number: 91-2948-0587

Owner: Poinsett, Helen E.  
6510 Covington Road  
Fort Wayne, Indiana 46804

Description: Lot 587 and 1/2 vacated alley

Parcel 24

Key Number: 91-2948-0588

Owner: Knight, Doris P.  
822 South Lafayette Street  
Fort Wayne, Indiana 46802

Description: Lot 588 and Lot 589 excluding NW 8' FRL for street

Parcel 25

Key Number: 91-3572-0003

Owner: Turner

Description: W 2' Lot 2 and E 30' Lot 3 Original Plat

Parcel 26

Key Number: 91-3572-0004

Owner: Turner

Description: W 30' Lot 3, Lots 4 & 5 and vacated alley

Parcel 27

Key Number: 91-3572-0006

Owner: Seat Cover Charlie  
211 East Superior Street  
Fort Wayne, Indiana 46802

Description: Lot 6, Original Plat

Parcel 28

Key Number: 91-3572-0007

Owner: Fine Car Furnishings, Inc.  
211 East Superior Street  
Fort Wayne, Indiana 46802

Description: Lot 7, excluding SW 4' FRL for street

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee on \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATED:

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Lunsey, seconded by \_\_\_\_\_, and duly adopted, placed on its passage. PASSED ~~LAST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	9			
BRADBURY	✓			
EDMONDS	✓			
GiaQUINTA	✓			
HENRY	✓			
LONG	✓			
LUNSEY	✓			
RAVINE	✓			
SCHMIDT	✓			
TALARICO	✓			

DATED: 7-27-93

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. R-41-93  
on the 27<sup>th</sup> day of July, 1993

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Mark C. GiaQuinta  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28<sup>th</sup> day of July, 1993, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 28<sup>th</sup> day of Jly, 1993, at the hour of 10:30 o'clock P.P. M., E.S.T.

PAUL HELMKE  
PAUL HELMKE, MAYOR



## Fort Wayne Redevelopment Commission

TO: Members of City Council  
FROM: Ron Fletcher, Executive Director *R.F.*  
DATE: July 21, 1993  
SUBJECT: Headwaters Project Acquisitions

BACKGROUND *R- 93-07-08*

On May 11, 1993, the City Council adopted a resolution approving seven (7) acquisitions for Phase I of the Headwaters Flood Control and Park Project. The parcels selected for acquisition were recommended by the Redevelopment Commission in consultation with the Headwaters Park Commission, and approved by the Board of Works. The current budget of \$800,000 permitted no more than those seven acquisitions. The Redevelopment Commission has since begun the acquisition process with respect to those seven parcels.

On June 22, the Council approved the \$5.2 million "Limited Obligation Bonds of 1993 (Headwaters Project)", payable with revenue from the lease of the City Power and Light Utility to Indiana Michigan Power Company. In anticipation of this bond issue, the Redevelopment Commission has identified an additional twenty one (21) parcels for acquisition, subject to the availability of financing. The Board of Works on July 21 adopted Resolution 80-194-7 approving the acquisition of these additional twenty one parcels.

### HIGHLIGHTS OF THE PROPOSED ORDINANCE

The proposed resolution approves, ratifies, and confirms Board of Works Resolution 80-194-7 approving the acquisition of an additional twenty one parcels for the Headwaters Project. The parcels are listed in Exhibit A to the Board of Works resolution, and are highlighted on the attached map.

### RECOMMENDATION

I recommend that Council adopt the attached resolution, approving an additional twenty one (21) parcels of real restate for acquisition. Passage will enable the Redevelopment Commission, acting on behalf of the Board of Works, to proceed with land acquisition as soon as bond proceeds become available.



Digest Sheet

TITLE OF RESOLUTION Approving Headwaters Project Acquisitions

DEPARTMENT REQUESTING RESOLUTION Board of Works/Redevelopment

SYNOPSIS OF RESOLUTION Approves, ratifies, and confirms Board of Works resolution approving an additional twenty one (21) parcels of real estate for acquisition for the Headwaters Project.

EFFECT OF PASSAGE Redevelopment Commission proceeds with the acquisition process as soon as funds are available from the issuance of "Limited Obligation Bonds of 1993 (Headwaters Project)".

EFFECT OF NON-PASSAGE Redevelopment Commission cannot proceed with acquisition. Project schedule is delayed.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \$5.2 million proceeds from "Limited Obligation" bond issue, payable from Light Lease revenue.

ASSIGNED TO COMMITTEE (PRESIDENT)

